

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION**

Members of the Charter Revision Commission held a meeting on Wednesday, March 10, 2015 in Tuesday, March 10, 2015 at 7:30 P.M. in the Old Court Room at Edmond Town Hall, 45 Main Street, Newtown, CT. Chairman Jeff Capeci called the meeting to order at 7:30pm.

**Present:** Jeffery Capeci, Tom Long, Eric Paradis and Dan Wiedemann

Members reviewed the language, as drafted by the Charter Revision Reorganization Working Group, for sections 2-105 and 2-110 defining the Legislative Council and the Board of Selectmen and continued to redraft/wordsmith.

Having No further business, the meeting was adjourned at 10:00pm.

Respectfully Submitted,

Jeff Capeci

Att A: Draft description from Reorganization Group. Notes in Red

## 2-105 Legislative Council

(a) Summary of General Responsibilities: All of the legislative powers of the Town conferred by the Connecticut General Statutes on Legislative Bodies shall vest in the Legislative Council with the exception of those items specifically enumerated to other bodies. The Council determines the annual Budget appropriations [ref to budget] and considers special and emergency appropriations [ref to special appropriation] subject to town meeting or referendum as provided by the terms of this charter. The Legislative Council shall have the power to enact amend or repeal ordinances. **Formerly a portion of 1-40, and derivation of key responsibilities in section six.**

**Comment [JC1]:** Enumerate "other bodies"

**Comment [JC2]:** Need a better word

(b) Membership: The Legislative Council shall consist of 12 members serving two year terms, 4 of whom shall be elected from each of 3 Legislative Council districts as nearly equal in population size as is practicable, established in accordance with Section [tbd]) of this Charter. **Formerly portions of 7-10 and 2-50.**

(c) The Legislative Council, from time to time, may adopt rules of procedure to govern its functions not inconsistent with the requirements of this Charter, provided such rules are adopted by a majority of at least 8 affirmative votes. **Formerly a portion of 7-20.**

(d) Meetings – The Legislative Council shall adhere to the following:

(1) The first meeting of the newly elected Legislative Council, chaired by the Town Clerk, shall be held within 6 days after the members take office. **Formerly a portion of 7-20.**

(2) Regular meetings shall be held twice a month, except when there is no business to conduct. The chairman shall notify the Town Clerk and the membership of the cancellation. The Chairman may call special meetings as deemed necessary. **Formerly 7-40(a)**

**Comment [JC3]:** Fix; Generalize meetings?

(3) Notice shall be given to all members of the Legislative Council of the time and place at which all regular and special meetings are to be held. Each notice shall include the meeting Agenda and shall be delivered at least 3 days before the meeting and filed with the Town Clerk and made available for public inspection.

(4) The Legislative Council may hold an emergency meeting at the immediate call of the Chairman. The meeting shall be subject to ratification of the Chairman's decision that an emergency existed by at least 8 affirmative votes. The nature of the emergency shall be set forth fully in the minutes of the meeting. **Formerly 7-40(b)**

(4) Seven members of the Legislative Council shall constitute a quorum at all meetings for the transaction of business. **Formerly 7-40(c).**

(5) The Agenda of each regular or special meeting of the Legislative Council shall be prepared by the Chairman. The agenda shall also include any matter or item, without limitation, action or ordinance set forth in a written request filed with the Chairman not less than 7 days prior to such meeting by:

**Comment [JC4]:** Do we need this stuff?

(1) Any member of the Legislative Council;

(2) The First Selectman; or

(3) Not less than 80 electors of the Town of Newtown. Any such request filed by 80 electors shall contain the resolution or ordinance on which action is sought. Prior to appearing on an agenda, the resolution or ordinance shall be submitted to the Town Attorney, by the chairman or the Legislative Council, for his opinion as to the power of the Legislative Council to act thereon and his approval of the form of the resolution or ordinance. Such opinion or approval shall not be unreasonably delayed. **Formerly 7-40(d)**

**Comment [JC5]:** Is this necessary? If it acts the final product will come out of the Legislative process in proper form.

(6) Any elector of the Town of Newtown may speak during a portion of each regular or special meeting on any matter on the Agenda of that meeting or any other item, subject to such conditions, rules and regulations as may be established from time to time by the Legislative Council, including the right to limit public participation in the working sessions on the budget. **Formerly 7-40(e).**

(7) Subject to appropriate rules of order adopted by the Legislative Council and Connecticut law on freedom of information, matters not on the Agenda may be discussed. No action shall be taken by the Legislative Council on any matter unless it appears on the Agenda sent to Legislative Council members with the notice of the meeting unless emergency action is required at any regular or special meeting at which it is found by 8 affirmative votes that an emergency exists or at an emergency meeting called as set forth above. **Formerly 7-40(f)**

**Comment [JC6]:** The emergency meeting language makes this redundant.

## 2-110 Board of Selectmen

(a) Summary of General Responsibilities: The Board of Selectmen [C21] shall supervise the administration of the affairs of the Town, except those matters, which by the General Statutes or this Charter are exclusively committed to the Board of Education or other Departments [C22]. The Board of Selectmen shall also be responsible for coordinating the activities of all the departments of the Town and for reviewing the present and future needs of the Town. **Formerly 3-20(a) and a portion of 3-20(b).**

**Comment [JC7]:** What does the word Department mean? Police, Fire?

(1) The First Selectman shall be the Chief Executive and Administrative Officer of the Town and shall have the powers and duties of First Selectman prescribed by this charter and the General Statutes. The First Selectman shall be responsible to the Board of Selectmen for the administration of departments under the direct supervision of the Board and shall execute or cause to be executed regulations or resolutions voted by the Board of Selectmen, and Town ordinances voted by the Legislative Council. **Formerly 3-10(a), 1-50.**

(b) The Board of Selectmen shall consist of the First Selectman and two Selectmen, each serving two year terms. **Formerly 3-01(a) and a portion of 2-50.**

(c) The Board of Selectmen shall have such powers and duties as prescribed by this Charter and the General Statutes. The Board of Selectmen may exercise any of the powers conferred on towns by the General Statutes, to the extent that the Legislative Council has not already acted by ordinance or resolution on such subjects and to the extent that such powers have not otherwise been granted or limited by this Charter to other boards, commissions or Town officers. **Formerly 3-30(b).**

**Comment [JC8]:** Can this be moved to the general section.

(d) Except for the powers granted to the Board of Education by the General Statutes,

The First Selectman with the approval of the Board of Selectmen shall have sole power, subject to the provisions of this Charter and the General Statutes to:

- (1) Incur indebtedness in the name of the Town and to provide for the due execution of evidences of indebtedness issued by the Town, subject to the provisions of subsection (tbd – 6-90(g) ) of Section (tbd) of this Charter,
- (2) Provide for the due execution of contracts for the Town, subject to the provisions of subsection (tbd -6-90(g) ) of Section (tbd – contract ) of this Charter,
- (3) Institute, prosecute or compromise any legal action or proceeding by or against the Town, subject to the approval of the Legislative Council and, when relevant, the affected department, commission or board,
- (4) Defend the Town by legal action or proceeding,
- (5) Apply for any financial assistance by the State of Connecticut and the United States Government including grants to fund any appropriation, subject to the provisions of Section [tbd] of this Charter,
- (6) Take, purchase, lease, sell, or convey [real or] personal property of or for the Town, subject to the provisions of Section [tbd] of this Charter, [C23]
- (7) Accept public highways, to approve the layout of public highways and related drainage, slope or other easements, to approve the acquisition of real property or interests in real property for the purpose of widening or realignment of existing public highways and to grant utility easements across town- owned property for the good of the town,
- (8) Discontinue any Town owned public highway. **Formerly 7-90(a)**
- (9) Require such reports from any Town Body or Department as may be useful in the performance of its duties, **Formerly a portion of 3-20(b)**
- (10) Submit annually to the Board of Finance a proposed Budget for the next fiscal year subject to the provisions of Section [tbd] of this Charter.

**Except as noted, formerly 3-30(a).**

(e) The First Selectmen may declare, by resolution, a state of emergency, should he or she find that a state of emergency exists within the Town, requiring immediate action to protect the health, safety or general welfare of the citizens. The resolution shall include the exact nature of the emergency and be simultaneously published by the most effective means available. The declaration shall be effective for a period of time not to exceed 5 calendar days, except that such effective time may be extended upon the approval by the Legislative Council that a state of emergency exists and the approval of all of the proposed actions necessary to deal with such emergency. The First Selectman shall take such actions as are in the best interest of the Town. [C25] **Formerly 3-10(d).**

**Comment [JC9]:** Necessary? Yes, RoW, Open space, etc

**Comment [JC10]:** Emergency Section?

(f) The First Selectman with the approval of the Board of Selectmen may, by resolution, establish such advisory or study committees as they find desirable in the discharge of their duties. **Formerly 4-01(e)**

(g) The Board of Selectmen shall have regular meetings and provide a procedure for calling special meetings. Formerly a portion of 3-20(c).

(h) A majority of the Board of Selectmen shall constitute a quorum for the transaction of any business. **Formerly a portion of 3-20(c).**

(i) The Board of Selectmen may call joint meetings with other Town Bodies, by resolution or regulation, as may be useful in the performance of its duties subject to the provisions the General Statutes. It shall be the affirmative obligation of the members of such other Town Bodies to attend such joint meetings. [C26]  
**Formerly a portion of 3-20(b).**

**Comment [JC11]:** Does this require other boards to warn or give them an excuse. Other boards commish to hold joint meetings.

DRAFT